

MELENDEZ GARCIA, WALDEMAR  
URB PALACIOS DEL RIO I  
529 CALLE BOTIJAS  
TOA ALTA, PR 00953

ASUME  
PO BOX 71316  
SAN JUAN, PR 00936-8416

CITI CARDS  
PO BOX 70148  
SAN JUAN, PR 00936-8148

RIVERA RODRIGUEZ, ANA D  
URB PALACIOS DEL RIO I  
529 CALLE BOTIJAS  
TOA ALTA, PR 00953

ATTORNEY GENERAL DEPT JUSTICE  
MAIN BLDG ROOM 5111  
10TH AND PENNSYLVANIA AVENUE NW  
WASHINGTON, DC 20530-0001

CITI CARDS  
PO BOX 6497  
SIOUX FALLS, SD 57117-6497

ROBERTO PEREZ OBREGON LAW OFFICE  
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BANCO SANTANDER  
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SAN JUAN, PR 00936-2589

CITI CARDS  
PO BOX 6189  
SIOUX FALLS, SD 57117-6189

AMERICAN EXPRESS  
PO BOX 1270  
NEWARK, NJ 07101-1270

BANK OF AMERICA  
PO BOX 17054  
WILMINGTON, DE 19884-0001

CITIFINANCIAL RETAIL SERVICES  
MUEBLERIAS BERRIOS  
PO BOX 71398  
SAN JUAN, PR 00936-8498

AMERICAN EXPRESS  
IDC CUSTOMER SERVICE  
PO BOX 981535  
EL PASO, TX 79998-1535

BAXTER CREDIT UNION  
PO BOX 1128  
SAINT JUST, PR 00978-1128

CITIFINANCIAL RETAIL SERVICES  
PO BOX 22066  
TEMPE, AZ 85285-2066

AMERICAN EXPRESS  
PO BOX 981537  
EL PASO, TX 79998-1537

BAXTER CREDIT UNION  
PO BOX 8133  
VERNON HILLS, IL 60061-8133

CITIFINANCIAL RETAIL SERVICES  
PO BOX 1466  
BAYAMON, PR 00960-1466

ASOCIACION DE RESIDENTES  
PALACIOS DE RIO I  
600 CALLE TANAMA  
TOA ALTA, PR 00953-5023

BAXTER CREDIT UNION  
340 N MILWAUKEE AVE  
VERNON HILLS, IL 60061-1533

CRIM  
PO BOX 195387  
SAN JUAN, PR 00919-5387

ASSISTANT US ATTORNEY  
TORRE CHARDON SUITE 1201  
350 AVE CARLOS CHARDON  
SAN JUAN, PR 00918-2124

BAXTER CREDIT UNION  
400 LAKEVIEW PKWY  
VERNON HILLS, IL 60061-1854

DEPARTAMENTO DE HACIENDA  
CONT PROPIEDAD INMUEBLE  
PO BOX 50066  
SAN JUAN, PR 00902-6266

ASSISTANT US ATTORNEY  
TORRE CHARDON SUITE 1201  
150 AVE CARLOS CHARDON STE 350  
SAN JUAN, PR 00918-2124

CAPITAL MANAGEMENT PR INC  
PO BOX 965  
BUFFALO, NY 14220-0965

DEPARTMENT OF TREASURY  
BANKRUPTCY DEPT OFF 424B  
PO BOX 9024140  
SAN JUAN, PR 00902-4140

ASUME  
OFIC LOCAL DE REGION BAYAMON  
PO BOX 2578  
BAYAMON, PR 00960-2578

CAPITAL MANAGEMENT PR INC  
726 EXCHANGE ST STE 700  
BUFFALO, NY 14210-1464

DEPARTMENT OF TREASURY  
INTERNAL REVENUE SERVICE  
PHILADELPHIA, PA 19255-0001

DIAZ CANSECO FOOD SERVICE  
PO BOX 364765  
SAN JUAN, PR 00936-4765

GE MONEY BANK  
PO BOX 981401  
EL PASO, TX 79998-1401

MACYS  
911 DUKE BLVD  
MASON, OH 45040

ELAINE VILLAFANE RIVERA  
723 LEGACY DR  
BRUNSWICK, GA 31525-3130

GE MONEY BANK  
PO BOX 981400  
EL PASO, TX 79998-1400

MENDEZ AND COMPANY  
PO BOX 363348  
SAN JUAN, PR 00936-3348

ENCINAL INC  
URB INDUSTRIAL BO PALMAS  
CARR 869 KM 2  
CATANO, PR 00962

HOME DEPOT CREDIT SERVICES  
PROCESSING CENTER  
DES MOINES, IA 50368-9100

OLD NAVY  
PO BOX 530942  
ATLANTA, GA 30353-0942

F BUENDIA  
DCC FT BUCHANAN BRANCH  
673 S TERMINAL RD  
FORT BUCHANAN, PR 00934-4598

HOME DEPOT CREDIT SERVICES  
PO BOX 653000  
DALLAS, TX 75265-3000

OLD NAVY  
PO BOX 981064  
EL PASO, TX 79998-1064

FIA CARD SERVICES  
PO BOX 15019  
WILMINGTON, DE 19886-5019

ILCA COLLECTION AGENCY  
PO BOX 362211  
SAN JUAN, PR 00936-2211

PENTAGON FEDERAL CREDIT UNION  
PO BOX 247080  
OMAHA, NE 68124-7080

FIA CARD SERVICES  
PO BOX 15026  
WILMINGTON, DE 19850-5026

INTERNAL REVENUE SERVICE  
SAN PATRICIO OFFICE CENTER  
7 CALLE TABONUCO  
GUAYNABO, PR 00968-3002

PENTAGON FEDERAL CREDIT UNION  
PO BOX 456  
ALEXANDRIA, VA 22313-0456

FIRSTBANK  
DEPARTAMENTO DE HIPOTECAS  
PO BOX 8318  
SAN JUAN, PR 00910-0318

INTERNAL REVENUE SERVICE  
CITY VIEW PLAZA II  
48 CARR 165 STE 2000  
GUAYNABO, PR 00968-8000

PENTAGON FEDERAL CREDIT UNION  
PO BOX 1432  
ALEXANDRIA, VA 22313-2032

FIRSTBANK  
BANKRUPTCY DEPARTMENT  
PO BOX 9146  
SAN JUAN, PR 00908-0146

JULIETTE DONATO BOFILL ESQ  
GARDENS HILLS PLAZA MSC 357  
1353 CARR 19  
GUAYNABO, PR 00966-2700

RUSH PARALEGAL SERVICES INC  
EXT FORREST HILLS  
H101 CALLE ATENAS  
BAYAMON, PR 00959

GARAGE SHELL COUNTRY STATE  
URB COUNTRY STATE  
CARR 167 KM 20 HM 7  
BAYAMON, PR 00956

MACYS  
PO BOX 183083  
COLUMBUS, OH 43218-3083

SAMS CLUB  
PO BOX 530942  
ATLANTA, GA 30353-0942

GE MONEY BANK  
BANKRUPTCY DEPARTMENT  
PO BOX 103104  
ROSWELL, GA 30076-9104

MACYS  
PO BOX 8066  
MASON, OH 45040-8066

SAMS CLUB  
PO BOX 981064  
EL PASO, TX 79998-1064

SEARS CREDIT CARD  
PO BOX 183081  
COLUMBUS, OH 43218-3081

SEARS CREDIT CARDS  
PO BOX 6283  
SIOUX FALLS, SD 57117-6283

STAR MEAT  
GARDEN HILLS PLAZA PMB 342  
1353 CARR 19  
GUAYNABO, PR 00966-2700

TEG COLLECTION  
PO BOX 193833  
SAN JUAN, PR 00919-3833

TROIS PROPERTY MANAGEMENT  
PO BOX 55444  
BAYAMON, PR 00960-3444

UNITED RECOVERY SYSTEMS LP  
PO BOX 722910  
HOUSTON, TX 77272-2910

UNITED RECOVERY SYSTEMS LP  
5800 N COURSE DR  
HOUSTON, TX 77072-1613

ZALES  
PROCESSING CENTER  
DES MOINES, IA 50364-0001

ZALES CREDIT PLAN  
PO BOX 653054  
DALLAS, TX 75265-3054

United States Bankruptcy Court  
District of Puerto Rico

IN RE:

Case No. \_\_\_\_\_

MELENDEZ GARCIA, WALDEMAR & RIVERA RODRIGUEZ, ANA D

Chapter **13**

Debtor(s)

**VERIFICATION OF CREDITOR MATRIX**

The above named debtor(s) hereby verify(ies) that the attached matrix listing creditors is true to the best of my(our) knowledge.

Date: October 29, 2010

Signature: /s/ WALDEMAR MELENDEZ GARCIA  
**WALDEMAR MELENDEZ GARCIA**

Debtor

Date: October 29, 2010

Signature: /s/ ANA D RIVERA RODRIGUEZ  
**ANA D RIVERA RODRIGUEZ**

Joint Debtor, if any

| United States Bankruptcy Court<br>District of Puerto Rico   |  |  |  |   |  | Voluntary Petition |                                     |
|---|--|--|--|---|--|--------------------|-------------------------------------|
| Name of Debtor (if individual, enter Last, First, Middle):<br><b>MELENDEZ GARCIA, WALDEMAR</b>  |  |  |  | Name of Joint Debtor (Spouse) (Last, First, Middle):<br><b>RIVERA RODRIGUEZ, ANA D</b>  |  |                    |                                     |
| All Other Names used by the Debtor in the last 8 years<br>(include married, maiden, and trade names):<br><b>WALDEMAR MELENDEZ</b>   |  |  |  | All Other Names used by the Joint Debtor in the last 8 years<br>(include married, maiden, and trade names):<br><b>ANA DELIA RIVERA RODRIGUEZ<br/>ANA D RIVERA</b>   |  |                    |                                     |
| Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all): <b>6730</b>  |  |  |  | Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all): <b>5801</b>  |  |                    |                                     |
| Street Address of Debtor (No. & Street, City, State & Zip Code):<br><b>URB PALACIOS DEL RIO I<br/>529 CALLE BOTIJAS<br/>TOA ALTA, PR</b>  |  |  |  | Street Address of Joint Debtor (No. & Street, City, State & Zip Code):<br><b>URB PALACIOS DEL RIO I<br/>529 CALLE BOTIJAS<br/>TOA ALTA, PR</b>  |  |                    |                                     |
| ZIPCODE <b>00953</b>  |  |  |  | ZIPCODE <b>00953</b>  |  |                    |                                     |
| County of Residence or of the Principal Place of Business:<br><b>Toa Alta</b>   |  |  |  | County of Residence or of the Principal Place of Business:<br><b>Toa Alta</b>   |  |                    |                                     |
| Mailing Address of Debtor (if different from street address):   |  |  |  | Mailing Address of Joint Debtor (if different from street address):   |  |                    |                                     |
| ZIPCODE   |  |  |  | ZIPCODE   |  |                    |                                     |
| Location of Principal Assets of Business Debtor (if different from street address above):   |  |  |  |   |  |                    |                                     |
| ZIPCODE   |  |  |  |   |  |                    |                                     |
| <b>Type of Debtor</b><br>(Form of Organization)<br>(Check <b>one</b> box.)<br><input checked="" type="checkbox"/> Individual (includes Joint Debtors)<br><i>See Exhibit D on page 2 of this form.</i><br><input type="checkbox"/> Corporation (includes LLC and LLP)<br><input type="checkbox"/> Partnership<br><input type="checkbox"/> Other (If debtor is not one of the above entities,<br>check this box and state type of entity below.)<br><br>  |  | <b>Nature of Business</b><br>(Check <b>one</b> box.)<br><input type="checkbox"/> Health Care Business<br><input type="checkbox"/> Single Asset Real Estate as defined in 11<br>U.S.C. § 101(51B)<br><input type="checkbox"/> Railroad<br><input type="checkbox"/> Stockbroker<br><input type="checkbox"/> Commodity Broker<br><input type="checkbox"/> Clearing Bank<br><input type="checkbox"/> Other<br><br><b>Tax-Exempt Entity</b><br>(Check box, if applicable.)<br><input type="checkbox"/> Debtor is a tax-exempt organization under<br>Title 26 of the United States Code (the<br>Internal Revenue Code).  |  | <b>Chapter of Bankruptcy Code Under Which<br/>the Petition is Filed</b> (Check <b>one</b> box.)<br><input type="checkbox"/> Chapter 7<br><input type="checkbox"/> Chapter 9<br><input type="checkbox"/> Chapter 11<br><input type="checkbox"/> Chapter 12<br><input checked="" type="checkbox"/> Chapter 13<br><input type="checkbox"/> Chapter 15 Petition for<br>Recognition of a Foreign<br>Main Proceeding<br><input type="checkbox"/> Chapter 15 Petition for<br>Recognition of a Foreign<br>Nonmain Proceeding<br><br><b>Nature of Debts</b><br>(Check <b>one</b> box.)<br><input checked="" type="checkbox"/> Debts are primarily consumer<br>debts, defined in 11 U.S.C.<br>§ 101(8) as "incurred by an<br>individual primarily for a<br>personal, family, or house-<br>hold purpose."<br><input type="checkbox"/> Debts are primarily<br>business debts. |  |                    |                                     |
| <b>Filing Fee</b> (Check one box)<br><input checked="" type="checkbox"/> Full Filing Fee attached<br><input type="checkbox"/> Filing Fee to be paid in installments (Applicable to individuals<br>only). Must attach signed application for the court's<br>consideration certifying that the debtor is unable to pay fee<br>except in installments. Rule 1006(b). See Official Form 3A.<br><input type="checkbox"/> Filing Fee waiver requested (Applicable to chapter 7 individuals<br>only). Must attach signed application for the court's<br>consideration. See Official Form 3B. |  | <b>Chapter 11 Debtors</b><br><b>Check one box:</b><br><input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D).<br><input type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).<br><b>Check if:</b><br><input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts owed to non-insiders or affiliates are less<br>than \$2,343,300 ( <i>amount subject to adjustment on 4/01/13 and every three years thereafter</i> ).<br>-----<br><b>Check all applicable boxes:</b><br><input type="checkbox"/> A plan is being filed with this petition<br><input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in<br>accordance with 11 U.S.C. § 1126(b). |  |   |  |                    |                                     |
| <b>Statistical/Administrative Information</b><br><input checked="" type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors.<br><input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for<br>distribution to unsecured creditors.   |  |  |  |   |  |                    | THIS SPACE IS FOR<br>COURT USE ONLY |
| <b>Estimated Number of Creditors</b><br><input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> Over 100,000  |  |  |  |   |  |                    |                                     |
| <b>Estimated Assets</b><br><input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input checked="" type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1 million to \$10 million <input type="checkbox"/> \$10 million to \$50 million <input type="checkbox"/> \$50 million to \$100 million <input type="checkbox"/> \$100 million to \$500 million <input type="checkbox"/> \$500 million to \$1 billion <input type="checkbox"/> More than \$1 billion                        |  |  |  |   |  |                    |                                     |
| <b>Estimated Liabilities</b><br><input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input checked="" type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1 million to \$10 million <input type="checkbox"/> \$10 million to \$50 million <input type="checkbox"/> \$50 million to \$100 million <input type="checkbox"/> \$100 million to \$500 million <input type="checkbox"/> \$500 million to \$1 billion <input type="checkbox"/> More than \$1 billion                   |  |  |  |   |  |                    |                                     |

**Voluntary Petition**

(This page must be completed and filed in every case)

Name of Debtor(s):

**MELENDEZ GARCIA, WALDEMAR & RIVERA RODRIGUEZ, ANA D****Prior Bankruptcy Case Filed Within Last 8 Years** (If more than two, attach additional sheet)Location  
Where Filed: **None**

Case Number:

Date Filed:

Location  
Where Filed:

Case Number:

Date Filed:

**Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor** (If more than one, attach additional sheet)

Name of Debtor:

**None**

Case Number:

Date Filed:

District:

Relationship:

Judge:

**Exhibit A**

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)

☐ Exhibit A is attached and made a part of this petition.**Exhibit B**

(To be completed if debtor is an individual whose debts are primarily consumer debts.)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by § 342(b) of the Bankruptcy Code.

**X /s/ ROBERTO PEREZ OBREGON****10/29/10**

Signature of Attorney for Debtor(s)

Date

**Exhibit C**

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

☐ Yes, and Exhibit C is attached and made a part of this petition.☒ No**Exhibit D**

(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)

☒ Exhibit D completed and signed by the debtor is attached and made a part of this petition.

If this is a joint petition:

☒ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.**Information Regarding the Debtor - Venue**

(Check any applicable box.)

☒ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.☐ Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.**Certification by a Debtor Who Resides as a Tenant of Residential Property**

(Check all applicable boxes.)

☐ Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)

(Name of landlord or lessor that obtained judgment)

(Address of landlord or lessor)

☐ Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and☐ Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.☐ Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).

**Voluntary Petition***(This page must be completed and filed in every case)*

Name of Debtor(s):

**MELENDEZ GARCIA, WALDEMAR & RIVERA RODRIGUEZ, A****Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under Chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**X** /s/ WALDEMAR MELENDEZ GARCIA

Signature of Debtor

**WALDEMAR MELENDEZ GARCIA**

**X** /s/ ANA D RIVERA RODRIGUEZ

Signature of Joint Debtor

**ANA D RIVERA RODRIGUEZ**

\_\_\_\_\_  
Telephone Number (If not represented by attorney)

**October 29, 2010**

Date

**Signature of a Foreign Representative**

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only **one** box.)

☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.

☐ Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

**X**

\_\_\_\_\_  
Signature of Foreign Representative

\_\_\_\_\_  
Printed Name of Foreign Representative

\_\_\_\_\_  
Date

**Signature of Attorney\***

**X** /s/ ROBERTO PEREZ OBREGON

Signature of Attorney for Debtor(s)

**ROBERTO PEREZ OBREGON 202003  
ROBERTO PEREZ OBREGON LAW OFFICE  
PO BOX 9497  
BAYAMON, PR 00960-9497  
(787) 787-9883 Fax: (787) 785-3478  
rperez23@msn.com**

**October 29, 2010**

Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

**Signature of Debtor (Corporation/Partnership)**

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**X**

\_\_\_\_\_  
Signature of Authorized Individual

\_\_\_\_\_  
Printed Name of Authorized Individual

\_\_\_\_\_  
Title of Authorized Individual

\_\_\_\_\_  
Date

**Signature of Non-Attorney Petition Preparer**

I declare under penalty of perjury that: 1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; 2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h) and 342(b); 3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

\_\_\_\_\_  
Printed Name and title, if any, of Bankruptcy Petition Preparer

\_\_\_\_\_  
Social Security Number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

\_\_\_\_\_  
Address

**X**

\_\_\_\_\_  
Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.

\_\_\_\_\_  
Date

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

*A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. § 110; 18 U.S.C. § 156.*

**United States Bankruptcy Court  
District of Puerto Rico**

**IN RE:**

Case No. \_\_\_\_\_

**MELENDEZ GARCIA, WALDEMAR & RIVERA RODRIGUEZ, ANA D**

Chapter **13**

Debtor(s)

**DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR**

1. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept ..... \$ **3,000.00**

Prior to the filing of this statement I have received ..... \$ **300.00**

Balance Due ..... \$ **2,700.00**

2. The source of the compensation paid to me was: ☒ Debtor ☐ Other (specify):
3. The source of compensation to be paid to me is: ☒ Debtor ☐ Other (specify):
4. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.
- ☐ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.
5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:
- a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
  - b. Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
  - c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
  - d. ~~Representation of the debtor in adversary proceedings and other contested bankruptcy matters;~~
  - e. [Other provisions as needed]
6. By agreement with the debtor(s), the above disclosed fee does not include the following services:

**CERTIFICATION**

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

**October 29, 2010**

Date

**/s/ ROBERTO PEREZ OBREGON**

ROBERTO PEREZ OBREGON 202003  
ROBERTO PEREZ OBREGON LAW OFFICE  
PO BOX 9497  
BAYAMON, PR 00960-9497  
(787) 787-9883 Fax: (787) 785-3478  
rperez23@msn.com



**United States Bankruptcy Court  
District of Puerto Rico**

IN RE:

Case No. \_\_\_\_\_

MELENDEZ GARCIA, WALDEMAR

Chapter 13

Debtor(s)

**EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE  
CREDIT COUNSELING REQUIREMENT**

**Warning:** You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

*Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.*

☒ 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.*

☐ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 14 days after your bankruptcy case is filed.*

☐ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the seven days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. *[Summarize exigent circumstances here.]*

**If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.**

☐ 4. I am not required to receive a credit counseling briefing because of: *[Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]*

- ☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);
- ☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);
- ☐ Active military duty in a military combat zone.

☐ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

**I certify under penalty of perjury that the information provided above is true and correct.**

Signature of Debtor: /s/ WALDEMAR MELENDEZ GARCIA

Date: October 29, 2010

**United States Bankruptcy Court  
District of Puerto Rico**

IN RE:

Case No. \_\_\_\_\_

RIVERA RODRIGUEZ, ANA D

Chapter 13

Debtor(s)

**EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE  
CREDIT COUNSELING REQUIREMENT**

**Warning:** You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

*Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.*

☒ 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.*

☐ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 14 days after your bankruptcy case is filed.*

☐ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the seven days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. *[Summarize exigent circumstances here.]*

**If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.**

☐ 4. I am not required to receive a credit counseling briefing because of: *[Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]*

- ☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);
- ☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);
- ☐ Active military duty in a military combat zone.

☐ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

**I certify under penalty of perjury that the information provided above is true and correct.**

Signature of Debtor: /s/ ANA D RIVERA RODRIGUEZ

Date: October 29, 2010

**WARNING: Effective December 1, 2009, the 15-day deadline to file schedules and certain other documents under Bankruptcy Rule 1007(c) is shortened to 14 days. For further information, see note at bottom of page 2**

## UNITED STATES BANKRUPTCY COURT

### NOTICE TO CONSUMER DEBTOR(S) UNDER §342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a joint case (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

#### **1. Services Available from Credit Counseling Agencies**

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days before the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

#### **2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors**

##### **Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299)**

Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, the United States trustee (or bankruptcy administrator), the trustee, or creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your

discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

**Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)**

Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

**Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)**

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

**Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)**

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

**3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials**

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court. The documents and the deadlines for filing them are listed on Form B200, which is posted at [http://www.uscourts.gov/bkforms/bankruptcy\\_forms.html#procedure](http://www.uscourts.gov/bkforms/bankruptcy_forms.html#procedure).

**Many filing deadlines change on December 1, 2009. Of special note, 12 rules that set 15 days to act are amended to require action within 14 days, including Rule 1007(c), filing the initial case papers; Rule 3015(b), filing a chapter 13 plan; Rule 8009(a), filing appellate briefs; and Rules 1019, 1020, 2015, 2015.1, 2016, 4001, 4002, 6004, and 6007.**

**United States Bankruptcy Court  
District of Puerto Rico**

**IN RE:**

Case No. \_\_\_\_\_

**MELENDEZ GARCIA, WALDEMAR & RIVERA RODRIGUEZ, ANA D**Chapter **13**

Debtor(s)

**CERTIFICATION OF NOTICE TO CONSUMER DEBTOR(S)  
UNDER § 342(b) OF THE BANKRUPTCY CODE**

**Certificate of [Non-Attorney] Bankruptcy Petition Preparer**

I, the [non-attorney] bankruptcy petition preparer signing the debtor's petition, hereby certify that I delivered to the debtor the attached notice, as required by § 342(b) of the Bankruptcy Code.

Printed Name and title, if any, of Bankruptcy Petition Preparer  
Address:

Social Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person, or partner of the bankruptcy petition preparer.)  
(Required by 11 U.S.C. § 110.)

**X**

Signature of Bankruptcy Petition Preparer of officer, principal, responsible person, or partner whose Social Security number is provided above.

**Certificate of the Debtor**

I (We), the debtor(s), affirm that I (we) have received and read the attached notice, as required by § 342(b) of the Bankruptcy Code.

**MELENDEZ GARCIA, WALDEMAR & RIVERA RODRIGUEZ, AN****X /s/ WALDEMAR MELENDEZ GARCIA****10/29/2010**

Printed Name(s) of Debtor(s)

Signature of Debtor

Date

Case No. (if known) \_\_\_\_\_

**X /s/ ANA D RIVERA RODRIGUEZ****10/29/2010**

Signature of Joint Debtor (if any)

Date

**Instructions:** Attach a copy of Form B 201A, Notice to Consumer Debtor(s) Under § 342(b) of the Bankruptcy Code.

Use this form to certify that the debtor has received the notice required by 11 U.S.C. § 342(b) **only** if the certification has **NOT** been made on the Voluntary Petition, Official Form B1. Exhibit B on page 2 of Form B1 contains a certification by the debtor's attorney that the attorney has given the notice to the debtor. The Declarations made by debtors and bankruptcy petition preparers on page 3 of Form B1 also include this certification.